

REMARKS

Claims 1-70 are pending in the Application.

Claims 1-9, 12, 16, 19-20, 23-31, 34, 38, 41-42, 45-55, 58, 62, 65-66 and 69-70 are rejected under 35 U.S.C. §102 (b).

Claims 10-11, 13-15, 17-18, 21-22, 32-33, 35-37, 39-40, 43-44, 56-57, 59-61, 63-64 and 67-68 are rejected under 35 U.S.C. §103(a).

Applicants note that Applicants have been unsuccessful in contacting Examiner Baum. Applicants have left voice messages with Examiner Baum at least on January 15 and January 21, 2004.

Applicants cancel claims 3-4 and 49-50 without prejudice or disclaimer. Applicants reserve the right to file a continuation application to capture the subject matter of originally filed claims 3-4 and 49-50.

Applicants note that claims 1 and 47 were not amended to overcome prior art but to more clearly explain the claimed subject matter. Applicants further note that claims 9, 19, 24, 55, 65 and 70 were amended to provide consistency with the amendments made in claims 1 and 47. Hence, the amendments made to claims 1, 9, 19, 24, 47, 55, 65 and 70 were not narrowing in scope and therefore no prosecution history estoppel arises from the amendments to claims 1, 9, 19, 24, 47, 55, 65 and 70. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 62 U.S.P.Q.2d 1705, 1711-12 (2002); 56 U.S.P.Q.2d 1865, 1870 (Fed. Cir. 2000). Further, the amendments made to claims 1, 9, 19, 24, 47, 55, 65 and 70 were not made for a substantial reason related to patentability and therefore no prosecution history estoppel arises from such amendments. See *Festo Corp.*, 62 U.S.P.Q.2d 1705 at 1707 (2002); *Warner-Jenkinson Co. v. Hilton Davis Chemical Co.*, 41 U.S.P.Q.2d 1865, 1873 (1997).

I. REJECTIONS UNDER 35 U.S.C. §102(b):

The Examiner has rejected claims 1-9, 12, 16, 19-20, 23-31, 34, 38, 41-42, 45-55, 58, 62, 65-66 and 69-70 under 35 U.S.C. §102(b) as being anticipated by Bots et al. (U.S. Patent No. 6,226,748) (hereinafter "Bots"). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

For a claim to be anticipated under 35 U.S.C. §102, each and every claim limitation must be found within the cited prior art reference and arranged as required by the claim. M.P.E.P. §2131.

Applicants respectfully assert that Bots does not disclose "configuring a group database in said server node, wherein said group database in said server node comprises said group name and a list of members associated with said group name" as recited in claim 1 and similarly in claims 25 and 47. The Examiner cites column 4, lines 3-27; column 6, lines 34-36 and column 8, lines 15-33 of Bots as disclosing the above-cited claim limitation. Paper No. 2, pages 2-3. Applicants respectfully traverse and assert that Bots instead discloses virtual private network units placed between the Internet and endstations 201, 202 and 203. Bots further discloses that the virtual private network units may reside in other placements so long as they reside in the path of data traffic. Bots further discloses that the virtual private network units maintain lookup tables for identifying members of specific virtual private network groups. While Bots discloses a table to identify members of a specific virtual private network group, this lookup table is maintained in a virtual private network unit and not in a server node. A virtual private network unit is not a server node where a server node is one end of a virtual private network. Instead, the virtual private network unit is placed in the path of data traffic between the two nodes of a virtual private network. Thus, Bots does not disclose all of the limitations of claim 1, 25 and 47, and thus Bots does not anticipate claims 1, 25 and 47. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "configuring a rules database in said server node, wherein said rules database associates said group name with a particular security policy, wherein said server node has a single security policy for each of the plurality of tunnels associated with said group name" as recited in claim 1 and similarly in claims 25 and 47. The Examiner cites column 2, lines 55-65; column 7, lines 20-55 and column 8, lines 5-15 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 3. Applicants respectfully traverse and assert that Bots instead discloses a virtual private network unit that resides in the path of data traffic. Bots further discloses that the virtual private network unit maintains a lookup table for identifying members of specific virtual private network groups. Bots further discloses that the lookup table maintained by the virtual private network unit identifies a particular encryption algorithm to be used for data packets traversing the Internet for a virtual private network group as well as the authentication and key management protocol information to be used. Again, as stated above, the lookup table is maintained in a virtual private network unit which does not correspond to a server node. As stated above, a server node is one end of a virtual private network. Instead, the virtual private network unit, as disclosed in Bots, refers to a unit placed in a path of data traffic between the nodes of a virtual private network. Hence, Bots does not disclose a rules database in a server node. Further, there is no language in the cited passages that defines a group name associated with a plurality of tunnels. Further, there is no language in the cited passages that discloses associating a group name with a single security policy for each of the plurality of tunnels. Thus, Bots does not disclose all the limitations of claims 1, 25 and 47, and thus Bots does not anticipate claims 1, 25 and 47. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "a plurality of tunnels associated with a group name, wherein each of said plurality of tunnels associated with said group name comprises a plurality of nodes, wherein each of said plurality of nodes comprises a communication adapter to interconnect with said virtual private network, wherein one of said plurality of nodes is a server node, wherein one of said plurality of nodes is a client node" as recited in claim 25. The Examiner cites

column 4, lines 15-27 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 3. Applicants respectfully traverse and assert that the cited passage teaches that a virtual private network unit may be implemented in software running on a computer system or implemented in hardware. The language in the cited passage is unrelated to the above-cited claim limitation. Bots instead discloses a network communication configuration, as illustrated in Figure 2, that includes end stations 201, 202, 203, 211, 212, 213, 221, 222, 223, 331 and 332 that communicate to the Internet, Internet 250, via routers 240, 242, 244, 246 and virtual private network units 250, 252, 254, and 256. Bots further discloses remote clients 150 and 155 are connected to the Internet with virtual private network units, VPNU 257 and 258, in the path of data flow between the remote clients and the Internet. There is no language in Bots that discloses a plurality of tunnels associated with a group name. Applicants have performed a search of the term "tunnels" in Bots and have been unable to identify the term "tunnels" or any variation thereof. Further, there is no language in Bots that discloses that each of a plurality of tunnels associated with a group name comprises a plurality of nodes. Further, Bots does not disclose that one of the plurality of nodes is a server node where the server node comprises a group database and a rules database. Thus, Bots does not disclose all of the limitations of claim 25, and thus Bots does not anticipate claim 25. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "establishing a tunnel having a tunnel definition between a client node having a member name and said server node by negotiating a common security policy" as recited in claim 1 and similarly in claim 47. Thus, Bots does not disclose all of the limitations of claims 1 and 47, and thus Bots does not anticipate claims 1 and 47. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "associating said tunnel with a group in said group database based on said member name such that only one copy of said tunnel definition and associated security policy is maintained on said server node regardless of the number of client nodes to server node tunnels associated with said group" as recited in claim 1 and similarly in claim 47. Thus, Bots does not

disclose all of the limitations of claims 1 and 47, and thus Bots does not anticipate claims 1 and 47. M.P.E.P. §2131.

Claims 2-9, 12, 16, 19-20, 23-24, 26-31, 34, 38, 41-42, 45-46, 48-55, 58, 62, 65-66 and 69-70 each recite combinations of features including the above combinations, and thus are not anticipated for at least the above-stated reasons. Claims 2-9, 12, 16, 19-20, 23-24, 26-31, 34, 38, 41-42, 45-46, 48-55, 58, 62, 65-66 and 69-70 recite additional features, which, in combination with the features of the claims upon which they depend, are not anticipated by Bots.

For example, Bots does not disclose “configuring a tunnel definition database in said server, wherein a remote ID inside tunnel definition is defined as said group name, wherein said server node has a single tunnel definition for each of the plurality of tunnels associated with said group name” as recited in claim 2 and similarly in claims 26 and 48. The Examiner cites column 7, lines 4-19 and 33-39 and column 7, line 55 – column 8, line 4 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 4. Applicants respectfully traverse and assert that Bots instead discloses a virtual private network unit placed in a data path between an end station and the Internet where the virtual private network unit is configured to not forward a data packet or discard a data packet when the source and destination address for the data packet are not both members of the same virtual private network group. Bots further discloses that a lookup table that is maintained by the virtual network unit identifies particular encryption algorithms to be used for data packets traversed in the Internet for a virtual private network group as well as the authentication and key management protocol information to be used. This language is not the same as a tunnel definition database where a tunnel definition database establishes the end points of a particular tunnel. Hence, the lookup table stored in the virtual private network unit does not correspond to a tunnel definition database. Further, the lookup table is stored in the private network unit, which does not correspond to a server node for at least the reasons stated above. Further, there is no language in Bots that discloses that a remote ID in a tunnel definition is defined as a group name. Further,

there is no language in Bots that discloses that a server node has a single tunnel definition for each of a plurality of tunnels associated with a group name. Thus, Bots does not disclose all of the limitations of claim 2, 26 and 48, and thus Bots does not anticipate claims 2, 26 and 48. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "wherein said list of members associated with said group name comprise an ID type and an ID of each member associated with said group name" as recited in claim 5 and similarly in claims 20 and 51. The Examiner cites column 6, lines 34-36 and column 8, lines 15-33 and 46-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 6. Applicants respectfully traverse and assert that Bots instead discloses lookup tables for identifying members of specific virtual private network groups. However, Bots does not specifically disclose maintaining the ID and the ID type of each member of a specific virtual private network group in the lookup table. The Examiner further asserts that it would be inherent for the lookup table maintained in the virtual private network unit to include a list of members associated with a group name that comprises an ID type and an ID associated with each member of the group name. Paper No. 2, page 6. Applicants respectfully traverse that it is inherent for the lookup table disclosed in Bots to include a list of members associated with a group name that comprises an ID type and an ID of each member associated with a group name. Applicants note that when relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). That is, in order for the Examiner to establish inherency, the Examiner must provide extrinsic evidence that must make clear that the missing descriptive matter is necessarily present in the thing described in the reference, and that it would be so recognized by persons of ordinary skill. *In re Robertson*, 169 F.3d 743, 745 (Fed. Cir. 1999). Inherency, however, may not be established by probabilities or possibilities. *Id.* The mere fact that a certain thing may result from a given set of circumstances is not sufficient. *Id.* Therefore, the Examiner must

support the inherency argument with objective evidence meeting the above requirements. As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 5, 20 and 51. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "wherein said ID type is an Internet Key Exchange (IKE) defined ID type, wherein said list of members is a non-contiguous list of IKE defined ID types" as recited in claim 6 and similarly in claims 29 and 52. The Examiner cites column 6, lines 34-36 and column 8, lines 15-33 and 45-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 7. Applicants respectfully traverse and assert that Bots instead discloses a virtual private network unit that maintains a lookup table for identifying members of a specific virtual private network group. Bots does not disclose any additional information as to whether the lookup table includes a list of members associated with a group name that includes an ID type for each member. Further, Bots does not disclose an ID type that is an Internet key exchange defined ID type. Further, Bots does not disclose a list of members that is a non-contiguous list of IKE defined ID types. Thus, Bots does not disclose all of the limitations of claims 6, 29 and 52, and thus Bots does not anticipate claims 6, 29 and 52. M.P.E.P. §2131.

The Examiner further asserts that it is inherent that the lookup table stored in a virtual private network unit would include a list of members associated with a group name that includes an ID type where the ID type is an Internet Key Exchange (IKE) defined ID type and where the list of members is a non-contiguous list of IKE defined ID types. Applicants respectfully traverse the assertion that it is inherent in Bots that the lookup table would include a list of members associated with a group name that includes an ID type where the ID type is an Internet Key Exchange (IKE) defined ID type and where the list of members is a non-contiguous list of IKE defined ID types. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464

(Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 6, 29 and 52. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose that "wherein said ID is a login ID" as recited in claim 7 and similarly in claims 30 and 53. The Examiner cites column 6, lines 34-36 and column 8, lines 15-33 and 45-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, pages 7-8. Applicants respectfully traverse and assert that Bots instead discloses a virtual private network unit that maintains a lookup table for identifying members of a specific private virtual network group. There is no language in Bots that discloses that the lookup table includes a list of members associated with a group name that includes an ID of each member associated with the group name. Further, there is no language in Bots that discloses an ID that is a login ID. Thus, Bots does not disclose all the limitations of claims 7, 30 and 53, and thus Bots does not anticipate claims 7, 30, and 53. M.P.E.P. §2131.

The Examiner asserts that it is inherent that the lookup table maintained in the virtual private network unit includes a list of members associated with a group name where the list includes an ID of each member associated with the group name and where the ID is a login ID. Applicants respectfully traverse the assertion that it is inherent that the lookup table, as disclosed in Bots, includes a list of members associated with a group name where the list includes an ID of each member associated with the group name and where the ID is a login ID. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 7, 30, and 53. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose that “wherein said ID is a specified name” as recited in claim 8 and similarly in claims 31 and 54. The Examiner cites column 6, lines 34-36 and column 8, lines 15-33 and 45-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 8. Applicants respectfully traverse and assert that Bots instead discloses a virtual private network unit that maintains a lookup table for identifying members of a specific private virtual network group. There is no language in Bots that discloses that the lookup table includes a list of members associated with a group name where the list includes an ID of each member associated with the group name. Further, there is no language in Bots that discloses an ID that is a specified name. Thus, Bots does not disclose all the limitations of claims 8, 31 and 54, and thus Bots does not anticipate claims 8, 31, and 54. M.P.E.P. §2131.

The Examiner asserts that it is inherent that the lookup table maintained in the virtual private network unit includes a list of members associated with a group name where the list includes an ID of each member associated with the group name and where the ID is a specified name. Applicants respectfully traverse the assertion that it is inherent that the lookup table, as disclosed in Bots, includes a list of members associated with a group name where the list includes an ID of each member associated with the group name and where the ID is a specified name. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 8, 31, and 54. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose “wherein configuring said tunnel definition database in said server node comprises establishing said server node and said client node at the two end points of said tunnel” as recited in claim 9 and similarly in claim 55. The Examiner cites column 5, lines 20-25; column 7, lines 4-

19, lines 32-39 and column 7, line 55 – column 8, line 4 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 9. Applicants respectfully traverse and assert that Bots instead discloses a virtual private network unit that is placed in data traffic between an end station and the Internet. Bots further disclose that the virtual private network unit is configured to discard or prevent the forwarding of a data packet whose source and data addresses are not both members of the same virtual private network group. Bots further disclose that the lookup table maintained in the virtual private network unit identifies the particular encryption algorithm to be used for data packets traversed in the Internet for a virtual private network group as well as the authentication and key management protocol information to be used. As stated above, the lookup table is not the same as a tunnel definition database. Further, there is no language in the cited passage that discloses establishing a tunnel. Further, there is no language in the cited passage that discloses that a tunnel is established between a server node and a client node where the server node includes a group database and a rules database. Instead, the Examiner asserts that the virtual private network unit corresponds to the server node which is at an end point of a particular tunnel. However, the virtual private network unit is not at an end point of a particular tunnel but instead is placed in the data path between an end station and the Internet. Thus, Bots does not disclose all of the limitations of claims 9 and 55, and thus Bots does not anticipate claims 9 and 55. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose “wherein said group database in said server node comprises said group name and ID type of each member of said group name and ID of each member of said group name” as recited in claim 12 and similarly in claims 34 and 58. The Examiner cites column 6, lines 34-36 and column 8, lines 15-33 and 45-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 9. Applicants respectfully traverse and assert that Bots instead discloses that the virtual private network unit maintains a lookup table for identifying members of specific virtual private network groups. As understood by the Applicants, the Examiner asserts that the lookup table maintained in the virtual private network unit corresponds to the group database in a server node. However,

there is no language in the cited passage that discloses that the lookup table includes an ID type of each member of the group name and an ID of each member of the group name. Thus, Bots does not disclose all of the limitations of claims 12, 34 and 58, and thus Bots does not anticipate claims 12, 34 and 58. M.P.E.P. §2131.

The Examiner asserts that it is inherent that the lookup table maintained by the virtual private network unit includes a group name and a list of members associated with the group name where the lookup table further includes an ID type of each member of the group name and an ID of each member of the group name. Applicants respectfully traverse the assertion that it is inherent that the lookup table in Bots includes a group name and a list of members associated with the group name as well as an ID type of each member of the group name and an ID of each member of the group name. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 12, 34 and 58. M.P.E.P. §2131.

Applicants respectfully assert that Bots does not disclose "wherein said rules database in said server node comprises said group name, a group name ID type and a security policy pointer" as recited in claim 16 and similarly in claims 38 and 62. The Examiner cites column 2, lines 55-65, column 7, lines 20-55 and column 8, lines 5-33 and 45-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 10. Applicants respectfully traverse and assert that Bots instead discloses that various parameters to finding the compression and encryption authentication are maintained in the lookup table in a virtual private network unit. Applicants are assuming that the Examiner is asserting that the lookup table in a virtual private network unit corresponds to a rules database in a server node. There is no language in the cited passage that discloses that the lookup table includes a group name or a group

named ID type or a security policy pointer. Thus, Bots does not disclose all of the limitations of claims 16, 38 and 62, and thus Bots does not anticipate claim 16, 38 and 62. M.P.E.P. §2131.

The Examiner asserts that it is inherent that the lookup table maintained by the virtual private network unit is a rules database that associates a group name with a particular security policy and where the rules database includes a group name, a group name ID type and a security policy pointer. Applicants respectfully traverse the assertion that it is inherent that the lookup table maintained by the virtual private network unit of Bots corresponds to a rules database that associates a group name with a particular security policy where the lookup table includes a group name, a group name ID type and a security policy pointer. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 16, 38 and 62. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "wherein activating said tunnel comprises the steps of: sending a security policy stored in a policy database of a client node by said client node to said server node; sending a security policy stored in a policy database of said server node by said server node to said client node if said security policy stored in said policy database of said server node matches said security policy stored in said policy database of said client node; sending a first nonce by said client node to said server node; sending a second nonce by said server node to said client node; sending a first ID by said client node to said server node; and sending a second ID by said server node to said client node" as recited in claim 19 and similarly in claims 24, 41, 46, 65 and 70. The Examiner cites column 7, lines 4-39; column 7, line 5 - column 8, line 4 and column 8, lines 45-63 as disclosing the above-cited claim limitations. Paper No. 2, page 11. Applicants respectfully traverse and assert that

Bots instead discloses that the virtual private network unit placed in the data traffic between an end station and the Internet discards or prevents the forwarding of a data packet whose source and data addresses are not members of the same virtual private network group. Further, the cited passage discloses a standard for key management in connection with Internet protocol data transfers with authentications. Applicants respectfully point out that the relevancy of the cited passages with respect to the above-cited claim limitations are not apparent. Applicants respectfully assert that the Examiner must clearly explain the relevancy of the cited passages with respect to the above-cited claim limitations, pursuant to 37 C.F.R. §1.104(c)(2). Thus, Bots does not disclose all the limitations of claims 19, 24, 41, 46, 65 and 70, and thus Bots does not anticipate claims 19, 24, 41, 46, 65 and 70. M.P.E.P. §2131.

The Examiner further asserts that the simple key management for Internet protocol (SKIP) inherently discloses sending a first nonce by a client node to a server node; sending a second nonce by the server node to the client node; sending a first ID by the client node to the server node; and sending a second ID by the server node to the client node. Applicants respectfully traverse this assertion. The Examiner has not provided any evidence as to what SKIP entails. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 19, 24, 41, 46, 65 and 70. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "wherein said first and second nonce are used to generate key material for said server and client node, respectively" as recited in claim 20 and similarly in claims 42 and 66. The Examiner cites column 7, lines 4-39; column 7, line 5 - column 8, line 4 and column 8, lines 45-63 as disclosing the above-cited claim limitations. Paper No. 2, page 11. Applicants respectfully traverse and assert that Bots instead discloses that the virtual private

network unit placed in the data traffic between an end station and the Internet discards or prevents the forwarding of a data packet whose source and data addresses are not members of the same virtual private network group. Further, the cited passages disclose a standard for key management in connection with Internet protocol data transfers with authentications. Applicants respectfully point out that the relevancy of the cited passages with respect to the above-cited claim limitations are not apparent. Applicants respectfully assert that the Examiner must clearly explain the relevancy of the cited passages with respect to the above-cited claim limitations, pursuant to 37 C.F.R. §1.104(c)(2). Thus, Bots does not disclose all the limitations of claims 20, 42 and 66, and thus Bots does not anticipate claims 20, 42 and 66. M.P.E.P. § 2131.

The Examiner further asserts that the simple key management for Internet protocol (SKIP) inherently discloses sending a first nonce by a client node to a server node and sending a second nonce by server node to the client node where the first and second nonce are used to generate key material for the server and client node. Applicants respectfully traverse this assertion. The Examiner has not provided any evidence as to what SKIP entails. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 20, 42 and 66. M.P.E.P. §2131.

Applicants further assert that Bots does not disclose "wherein said first ID is an ID of said particular member of said group name" as recited in claims 23 and similarly in claims 45 and 69. The Examiner cites column 6, lines 34-36 and column 8, lines 15-33 and 45-63 of Bots as disclosing the above-cited claim limitation. Paper No. 2, page 15. Applicants respectfully traverse and assert that Bots instead discloses that the virtual private network unit maintains a lookup table for identifying members of specific virtual private network groups. The cited passages

further disclose a standard for key management in connection with Internet protocol data transfers with authentication. There is no language in the cited passages that disclose a first ID sent by a client node to a server node where the server node includes a group database and a rules database. Further, there is no language in the cited passages that disclose the first ID is an ID of a particular member of a group name. Thus, Bots does not disclose all the limitations of claims 23, 45 and 69, and thus Bots does not anticipate claims 23, 45 and 69. M.P.E.P. §2131.

The Examiner further asserts that it is inherent that when activating a particular tunnel, that one of the steps includes sending a first ID by a client node to the server node where the first ID is an ID of a particular member of the group name. Applicants respectfully traverse the assertion that it is inherent that Bots discloses activating a particular tunnel that includes sending a first ID by a client node to the server node where the first ID is an ID of a particular member of the group name. The Examiner has offered no evidence to support this assertion. As stated above, Applicants note that in relying upon a theory of inherency, the Examiner must provide a basis in fact and/or technical reasoning to reasonably support the determination that the allegedly inherent characteristic necessarily flows from the teachings of the applied prior art. *Ex parte Levy*, 17 U.S.P.Q.2d 1461, 1464 (Bd. Pat. App. & Inter. 1990). As the Examiner has not provided any objective evidence supporting his inherency arguments, the Examiner has not presented a *prima facie* case of anticipation for rejecting claims 23, 45 and 69. M.P.E.P. §2131.

As a result of the foregoing, Applicants respectfully assert that not each and every claim limitation was found within the cited prior art reference, and thus claims 1-9, 12, 16, 19-20, 23-31, 34, 38, 41-42, 45-55, 58, 62, 65-66 and 69-70 are not anticipated by Bots.

II. REJECTIONS UNDER 35 U.S.C. 103(a):

Claims 10-11, 13-15, 17-18, 21-22, 32-33, 35-37, 39-40, 43-44, 56-57, 59-61, 63-64 and 67-68 are rejected under 35 U.S.C. § 103(a) as being unpatentable over

Bots in view of Shrader (U.S. Patent No. 5,864,666). Applicants respectfully traverse these rejections for at least the reasons stated below and respectfully request the Examiner to reconsider and withdraw these rejections.

A. **Bots and Shrader, taken singly or in combination, do not teach or suggest the following claim limitations.**

Applicants respectfully assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein said tunnel definition database in said server node is configured by a user entering a local ID, a local ID type, said remote ID and the remote ID type through a GUI” as recited in claim 10 and similarly in claims 32 and 56. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 2, page 16. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling through a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels and the querying of IP filter rules with IP tunnel definitions. This language is not the same as configuring a tunnel definition database in a server node where the server node is at an end point of a particular tunnel. Further, this language is not the same as configuring a tunnel definition database in the server node by a user entering a local ID, a local ID type, a remote ID and a remote ID type. Shrader does teach a tunnel ID; however, Shrader does not teach configuring a database by entering the IDs and ID types of the nodes that define a particular tunnel. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein said tunnel definition database in said server node is configured by a user entering a local ID, a local ID type, said remote ID and a remote ID type through a command line interface” as recited in claim 11 and

similarly in claims 33 and 57. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 2, page 16. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling through a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels and the querying of IP filter rules with IP tunnel definitions. This language is not the same as configuring a tunnel definition database in a server node where the server node is at an end point of a particular tunnel. Further, this language is not the same as configuring a tunnel definition database in the server node by a user entering a local ID, a local ID type, a remote ID and a remote ID type. Shrader does teach a tunnel ID; however, Shrader does not teach configuring a database by entering the IDs and ID types of the nodes that define a particular tunnel. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein configuring said group database in said server node is accomplished by entering said group name, said ID type of each member of said group name and said ID of each member of said group name through a GUI” as recited in claim 13 and similarly in claims 35 and 59. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 2, page 18. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling via a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. Further, Shrader teaches a tunnel ID. However, there is no language in the cited passages that teach a group name associated with a plurality of tunnels. Further, this language is not the same as entering an ID type of each member of a group name. Further, this language

is not the same as entering an ID of each member of a group name. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein configuring said group database in said server node is accomplished by entering said group name, said ID type of each member of said group name and said ID of each member of said group name through a command line interface” as recited in claim 14 and similarly in claims 36 and 60. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling via a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. Further, Shrader teaches a tunnel ID. However, there is no language in the cited passages that teach a group name associated with a plurality of tunnels. Further, this language is not the same as entering an ID type of each member of a group name. Further, this language is not the same as entering an ID of each member of a group name. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein configuring said group database in said server node is accomplished by entering said group name, said ID type of each member of said group name and said ID of each member of said group name through configuration files” as recited in claim 15 and similarly in claims 37 and 61. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, lines 67 of Shrader as teaching the above-cited claim limitation. Paper No. 2, page 18. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling via a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the

querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. Further, Shrader teaches a tunnel ID. However, there is no language in the cited passages that teach a group name associated with a plurality of tunnels. Further, this language is not the same as entering an ID type of each member of a group name. Further, this language is not the same as entering an ID of each member of a group name. Further, there is no language in the cited passages that teaches configuring a database through configuration files. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein configuring said rules database in said server node is accomplished by entering said group name, said group name ID type and said security policy pointer through a GUI” as recited in claim 17 and similarly in claims 39 and 63. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 5, page 22. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling in a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. Further, Shrader teaches a tunnel ID. However, the language in the cited passages do not teach a group name associated with a plurality of tunnels. Further, the language in the cited passages do not teach configuring a database by entering a group name ID. Further, the language in the cited passages do not teach configuring a database by entering a group name ID. Further, the language in the cited passages do not teach configuring a database by entering a security policy pointer. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein configuring said rules database in said server node is accomplished by entering said group name, said group name ID type and said security policy pointer through a command line interface” as recited in claim 18 and similarly in claims 40 and 64. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 5, page 22. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling in a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. Further, Shrader teaches a tunnel ID. However, the language in the cited passages do not teach a group name associated with a plurality of tunnels. Further, the language in the cited passages do not teach configuring a database by entering a group name ID. Further, the language in the cited passages do not teach configuring a database by entering a group name ID. Further, the language in the cited passages do not teach configuring a database by entering a security policy pointer. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein said policy database in said client and server node are configured by entering said security policy through a GUI at said client and server node” as recited in claim 21 and similarly in claims 43 and 67. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 5, page 24. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling in a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. This language in the cited passage does not teach a policy database that stores a

security policy. Further, the language in the cited passage does not teach configuring a policy database by entering a security policy. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

Applicants further assert that Bots and Shrader, taken singly or in combination, do not teach or suggest “wherein said policy database in said client and server node are configured by entering said security policy through a command line interface at said client and server node” as recited in claim 22 and similarly in claims 44 and 68. The Examiner cites column 1, lines 15-34 and column 5, line 13 – column 6, line 67 of Shrader as teaching the above-cited claim limitation. Paper No. 5, page 24. Applicants respectfully traverse and assert that Shrader instead teaches administering tunneling in a web-based interface where the administrator tasks for IP tunnels are divided into the definition of IP tunnels, the graphical display of IP tunnels, the querying of IP tunnels, and the querying of IP filter rules with IP tunnel definitions. This language in the cited passage does not teach a policy database that stores a security policy. Further, the language in the cited passage does not teach configuring a policy database by entering a security policy. Therefore, the Examiner has not presented a *prima facie* case of obviousness, since the Examiner is relying upon an incorrect, factual predicate in support of the rejection. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1455 (Fed. Cir. 1998).

B. The Examiner has not provided any objective evidence for combining Bots with Shrader.

A *prima facie* showing of obviousness requires the Examiner to establish, *inter alia*, that the prior art references teach or suggest, either alone or in combination, all of the limitations of the claimed invention, and the Examiner must provide a motivation or suggestion to combine or modify the prior art reference to make the claimed inventions. M.P.E.P. §2142. The showings must be clear and particular. *In re Lee*, 277 F.3d 1338, 1343, 61 U.S.P.Q. 2d 1430, 1433-34 (Fed. Cir. 2002); *In re Kotzab*, 217 F.3d 1365, 1370, 55 U.S.P.Q. 2d 1313, 1317 (Fed. Cir. 2000); *In re*

Dembiczak, 50 U.S.P.Q.2d. 1614, 1617 (Fed. Cir. 1999). Broad conclusory statements regarding the teaching of multiple references, standing alone, are not evidence. *Id.*

In order to reject under 35 U.S.C. § 103, therefore, the Examiner must provide a proper motivation for combining or modifying the references. *In re Rouffet*, 47 U.S.P.Q.2d 1453, 1457-1458 (Fed. Cir. 1998); M.P.E.P. § 2142. The Examiner's motivation for modifying Bots with Shrader (1) to have a tunnel definition database in a server node configured by a user entering a local ID, a local ID type, a remote ID and a remote ID type through a GUI or through a command line interface, as recited in claims 10-11, 32-33 and 56-57; (2) to configure a group database in a server node by entering a group name, an ID type of each member of the group name and an ID of each member of the group name through either a GUI or a command line interface or through configuration files" as recited in claims 13-15, 35-37 and 59-61; (3) to configure a rules database in a server node by entering a group name, a group name ID type and a security policy pointer through either a GUI or a command line interface, as recited in claims 17-18, 39-40 and 63-64; and (4) to configure a policy database in a client and in a server node by entering a security policy through a GUI or a command line interface, as recited in claims 21-22, 43-44 and 67-68, is "because it would allow a qualitative user interface improvement in such a distributed network environment for virtual private network administration." Paper No. 2, pages 16-19 and 22 and 24. This motivation is sufficient to support a *prima facie* case of obviousness since it is merely the Examiner's subjective opinion.

Bots teaches that a virtual private network unit which moderates data communications between members of a defined virtual private network group. Column 2, lines 44-47.

Shrader, on the other hand, teaches administering tunneling on a firewall computer between a secure computer network and a nonsecure computer network in a web-based interface. Abstract.

The Examiner must submit objective evidence and not rely on his own subjective opinion in support of combining a reference (Bots) that teaches a virtual

private network unit which moderates data communications between members of a defined virtual private network group with a reference (Shrader) that teaches tunneling on a firewall computer between a secured computer network and a nonsecure computer network in a web-based interface. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Bots to have a tunnel definition database in a server node configured by a user entering a local ID, a local ID type, a remote ID and a remote ID type through a GUI or through a command line interface. *Id.* There is no suggestion in Bots of configuring a tunnel definition database in a server node. Neither is there any suggestion in Bots of configuring a tunnel definition database in a server node by a user entering a local ID, a local ID type, a remote ID and a remote ID type. Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness since it is merely the Examiner's subjective opinion. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Bots to configure a group database in a server node by entering a group name, an ID type of each member of the group name and an ID of each member of the group name through either a GUI or a command line interface or through configuration files. *Id.* There is no suggestion in Bots of configuring a group database in a server node. Neither is there any suggestion in Bots of configuring a group database in a server node by entering a group name, an ID type of each member of the group name and an ID of each member of the group name. Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness since it is merely the Examiner's subjective opinion. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Bots to configure a rules database in a server node by entering a group name, a group name ID type and a security policy

pointer through either a GUI or a command line interface. *Id.* There is no suggestion in Bots of configuring a rules database in a server node. Neither is there any suggestion in Bots of configuring a rules database in a server node by entering a group name, a group name ID type and a security policy pointer. Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness since it is merely the Examiner's subjective opinion. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Bots to configure a policy database in a client and in a server node by entering a security policy through a GUI or a command line interface. *Id.* There is no suggestion in Bots of configuring a policy database. Neither is there any suggestion in Bots of configuring a policy database in a client and in a server node. Neither is there any suggestion in Bots of configuring a policy database in a client and in a server node by entering a security policy. Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness since it is merely the Examiner's subjective opinion. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Further, the Examiner must submit objective evidence and not rely on his own subjective opinion in support of modifying Bots to allow a qualitative user interface improvement in a distributed network environment for VPN Administration (Examiner's motivation). *Id.* There is no suggestion in Bots of improving a user interface. Any judgment on obviousness must not include knowledge gleaned only from applicant's disclosure. *In re McLaughlin*, 170 U.S.P.Q. 209, 212 (C.C.P.A. 1971). Consequently, the Examiner's motivation is insufficient to support a *prima facie* case of obviousness since it is merely the Examiner's subjective opinion. *In re Lee*, 61 U.S.P.Q.2d 1430, 1434 (Fed. Cir. 2002).

Therefore, the Examiner has not presented a *prima facie case of obviousness* showing of obviousness for rejecting claims 10-11, 13-15, 17-18, 21-22, 32-33, 35-37, 39-40, 43-44, 56-57, 59-61, 63-64 and 67-68.

III. CONCLUSION

As a result of the foregoing, it is asserted by Applicants that claims 1-2, 5-48 and 51-70 in the Application are in condition for allowance, and Applicants respectfully request an allowance of such claims. Applicants respectfully request that the Examiner call Applicants' attorney at the below listed number if the Examiner believes that such a discussion would be helpful in resolving any remaining issues.

Respectfully submitted,

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